



KENTUCKY BOARD OF VETERINARY EXAMINERS

107 Corporate Drive, Second Floor, Frankfort, KY 40601

Office: 502-782-0273 • Fax: 502-695-5887

kybve.com • vet@ky.gov

Meeting Minutes

March 23, 2023

Meeting Location: Office of the State Veterinarian, 109 Corporate Drive, Frankfort, KY 40601
with a
Public Zoom Meeting Option

BOARD MEMBERS PRESENT

(V) = video (A) = audio only (I) = In-person

All Board Members, Staff, and Others present in-person unless otherwise noted.

- Gene Smith, DVM – Vice Chair
- Dianne Dawes, DVM
- Tom Dorman, Citizen-at-Large (V)
- Dale Eckert, DVM
- Tim Gardner, DVM
- Stephanie Kennedy, DVM
- John Park, DVM
- Amy J. Staton, EdD, LVT
- Joe Bilby, KDA General Counsel -- Proxy for the Commissioner of Agriculture

BOARD MEMBERS ABSENT

- Steven J. Wills, DVM – Chairman

DEPARTMENT OF AGRICULTURE STAFF PRESENT

- Michelle Shane, KBVE Executive Director
- Amanda Briggs, KBVE Administrative Assistant

OTHERS PRESENT

- Mark Brengelman, JD, MA, Attorney at Law, KBVE Legal Counsel
- Coy St. Clair, DVM, KBVE Investigator
- L. Dena Fitzpatrick, DVM, KBVE Investigator
- Debra Hamelback, Executive Director, Kentucky Veterinary Medical Association (KVMA) (V)

CALL TO ORDER / ROLL CALL / ESTABLISHMENT OF QUORUM

Dr. Gene Smith, Board Vice Chairman, called the meeting to order at 1:00 PM EDT. Vice Chairman Dr. Smith welcomed everyone to the meeting.

Ms. Michelle Shane read the roll call. Per [KRS 321.240\(2\)](#), a quorum of the Board was achieved.

READING OF MISSION STATEMENT

Dr. John Park read aloud the KBVE mission statement.

CONFIRMATION OF PUBLIC NOTICE

Ms. Shane confirmed the public notice for this meeting was sent on Tuesday, March 21, 2023, to the Kentucky Department of Agriculture (KDA) media contact list, and also posted on the KBVE website Meetings page.

CONSENT AGENDA

- Meeting Agenda for March 23, 2023
- Board Meeting Minutes from January 26, 2023
- Budget Summary Report
- Licensure Status Report
- Applications Committee Report on New Applications
- Applications Committee Report on New CE Requests
- Approval of Board Per Diem and Mileage

A MOTION was made by Dr. Park to approve the consent agenda. The motion, seconded by Dr. Tim Gardner, passed unanimously.

Budget

The budget expenditures and revenue are summarized as follows for F.Y. 2023, July 1, 2022, through March 15, 2023:

- F.Y. 2023 –
 - Receipts = \$551,705
 - Expenditures = \$300,241
 - Current Balance = \$1,108,521

Licensure Status Report

As of March 17, 2023 the KBVE database reports:

- Active Veterinarians = 2,477
- Inactive Veterinarians = 82
- Special Permits = 9
- Active Veterinary Technicians = 525
- Inactive Veterinary Technicians = 24
- Active Certified Animal Control Agencies = 50
- Active Certified Animal Euthanasia Specialists = 153
- Inactive Animal Euthanasia Specialists = 58

Applications Committee Reports

- Report on New Applications
- Report on New CE Requests

The Applications Committee Reports are as follows in Table 1: Approved Applicants for Licensure and Certification, and Table 2: Approved CE Requests.

- The Board approved 28 veterinarian, one (1) special permit, 10 veterinary technician, 11 animal euthanasia specialist, and one (1) certified animal control agency applications.
- The Board denied one (1) application for an animal control agency certificate and one (1) application for an animal euthanasia specialist certificate.
- The Board approved CE requests for 56 hours of CE for veterinarians and 47.5 hours of CE for veterinary technicians.

Table 1: Approved Applicants for Licensure and Certification				
Row #	First Name	Last Name	License Type	App. Type
1	Bisoye T.	Adedeji	Veterinarian	Special Permit
2	Kalisha E.	Brandenburg	Veterinarian	Special Permit
3	Erika D.	Brewer	Veterinarian	New
4	Chelsea B.	Brown	Veterinarian	Special Permit
5	Megan J.	Burke	Veterinarian	Endorsement
6	Danielle B.	Carey	Veterinarian	Endorsement
7	Grace E.	Davis	Veterinarian	Endorsement
8	Clayton G.	Deible	Veterinarian	Special Permit
9	Steven E.	Epstein	Veterinarian	Reinstatement
10	Lea T.	Guitard	Veterinarian	Reinstatement
11	Vicki B.	Hagerman	Veterinarian	Endorsement
12	Nicole M.	Hawkins	Veterinarian	Special Permit
13	Andrew G.	Hirschy	Veterinarian	Endorsement
14	Joanne M.	Hughes	Veterinarian	Endorsement
15	Adam S.	King	Veterinarian	Endorsement
16	Shana M.	Kissell	Veterinarian	Endorsement
17	Alisha L.	Kuhtic	Veterinarian	Endorsement
18	Allison B.	Lancaster	Veterinarian	Endorsement
19	Kate M.	Maas	Veterinarian	Endorsement
20	Beth R.	May	Veterinarian	Endorsement
21	Kayla W.	Orso	Veterinarian	Endorsement
22	Alexandria F.	Pierce	Veterinarian	Special Permit
23	Jase A.	Skelton	Veterinarian	Endorsement

Row #	First Name	Last Name	License Type	App. Type
24	Aimee L.	Smith	Veterinarian	Reinstatement
25	Kristin S.	Smith	Veterinarian	New
26	Helio Lauro	Soares Vasco Neto	Special Permit	New
27	Logan P.	Ullery	Veterinarian	Endorsement
28	Edward D.	Voss	Veterinarian	Endorsement
29	Allen F.	Wachter	Veterinarian	Endorsement
30	Kristin L.	Anderson-Carney	Veterinary Technician	Endorsement
31	Ashley M.	Bowlds	Veterinary Technician	Endorsement
32	Haleigh E.	Brown	Veterinary Technician	New
33	Jennifer L.	Dobson	Veterinary Technician	Endorsement
34	Dominique L.	Hunter	Veterinary Technician	Reinstatement
35	Samantha N. R.	Johnson	Veterinary Technician	Reinstatement
36	Holly M.	Perry	Veterinary Technician	Reinstatement
37	Keely J.	Shocklee	Veterinary Technician	New
38	Malori J.	Stewart	Veterinary Technician	Reinstatement
39	Abigail R.	Winkler	Veterinary Technician	New
40	Katherine E.	Adams	Euthanasia Specialist	New
41	Danielle D.	Ashcraft	Euthanasia Specialist	New
42	Carissa M.	Carter	Euthanasia Specialist	New
43	Jerrika L.	Combs	Euthanasia Specialist	New
44	Randah M.	Hutchison	Euthanasia Specialist	New
45	John J.	Moore II	Euthanasia Specialist	New
46	Kayla M.	Moreno	Euthanasia Specialist	New
47	Anthony L.	Roberts	Euthanasia Specialist	New
48	Kaitland G.	Stewart	Euthanasia Specialist	New
49	Monica J.	Taylor	Euthanasia Specialist	New
50	Rebecca A. R.	van Schepen	Euthanasia Specialist	New
51	Logan County Humane Society		Animal Control Agency	Reinstatement

Table 2: Approved CE Requests

Course Title	Sponsor / Provider	CE Hours Requested		Date of Program(s)
		Vet	Vet Techs	
Part I: Anesthetic Monitors: What Can You Bet Your Bottom Dollar On? Part II: Anesthetic Complications: Reducing Panic Associated with Those Monitors	Cincinnati VMA	2	-	3/28/2023
Master Beekeeping	Cornell University	7		On Demand

Table 2: Approved CE Requests

Course Title	Sponsor / Provider	CE Hours Requested		Date of Program(s)
		Vet	Vet Techs	
Impacts of Extreme Weather on One Health	Kentucky Department of Agriculture, Office of the State Veterinarian, Kentucky Department of Public Health	5.5	5.5	3/8/2023
KVTA Spring Fling	Kentucky Veterinary Technician Association	-	5	4/29/2023
Referring Veterinarian Seminar	Rood & Riddle Equine Hospital	3	-	2/14/2023
Dr. Annette McCoy - Can We Build Better Bone?	UK Gluck Equine Research Center	1	1	5/11/2023
Dr. Baoming Jiang - One Medicine: Progress Towards the Control and Prevention of Rotavirus Disease in Humans and Animals	UK Gluck Equine Research Center	1	1	2/16/2023
Dr. Bruno Menarim - Innate immunity in orthopedics - a cornerstone for therapeutic advances	UK Gluck Equine Research Center	1	1	3/23/2023
Dr. Jarlath Nally - Challenging the Dogmata of Pathogenic Leptospira and Leptospirosis	UK Gluck Equine Research Center	1	1	4/6/2023
Dr. Jessica Peterson - Using genetic information to understand and inform the management of horse breeds - examples from the Clydesdale and Shire	UK Gluck Equine Research Center	1	1	4/13/2023
Dr. Liz Santchi - Subchondral bone lucencies in the horse	UK Gluck Equine Research Center	1	1	3/9/2023
Dr. Megan Romano - He ate WHAT? Investigating animal poisoning cases	UK Gluck Equine Research Center	1	1	2/23/2023
Dr. Peter Doris - An animal model of heritable cardiovascular disease: genomics is simple and complex	UK Gluck Equine Research Center	1	1	4/27/2023
Dr. Shavahn Loux - Vitamin D3 as a novel therapy for persistent breeding-induced endometritis: a tale of how bioinformatics can improve clinical science	UK Gluck Equine Research Center	1	1	2/9/2023
Mountain Veterinary Conference	Veterinary Association Management, Inc.	20	20	4/16-19/23
A New Treatment for Feline OA Pain	Zoetis	1.5	-	3/23/2023
Kentucky Summit for Leaders in Veterinary Medicine	Zoetis	8	8	3/9-10/23

BUSINESS AGENDA

BUDGET MATTERS

- Budget items for vote:
 - **Annual renewal of IT services**
A MOTION was made by Mr. Joe Bilby to approve 2023 annual IT expenditures for subscriptions to Dropbox, Constant Contact, and Adobe Acrobat DC. The motion, seconded by Dr. Amy Staton, passed unanimously.
 - **Buffalo Trace Exhibiting**
A MOTION was made by Dr. Dale Eckert to approve costs for exhibiting at the 2023 Buffalo Trace VMA Morehead Clinic Days. The motion, seconded by Dr. Stephanie Kennedy, passed unanimously.
 - **Quote for digitization of Veterinarian, LVT, AES, and ACA initial and reinstatement applications**
Members of the Board discussed the quote provided by the Public Protection Cabinet to upgrade the licensing database to include all KBVE initial and reinstatement applications. The quote for work was more than \$70,000. Members discussed the current application process, as well as associated time and cost requirements. The Board determined that the Budget Committee should meet to review this issue in-depth and make a recommendation at the May meeting.
 - **Quotes for Board Retreat**
Members of the Board reviewed the venue quotes for the June 2023 Board Retreat.

A MOTION was made by Dr. Park to approve costs not to exceed \$10,500 for the Board's June retreat at either Dant Crossing in New Haven, KY or Cliffview Resort in Campton, KY, with the final selection to be recommended by the board executive director and approved by the Chairman. The motion, seconded by Dr. Dawes, passed unanimously.
 - **Mailing Lists for KVMA**
Members of the Board discussed and approved waiving the mailing list fee for KVMA requested mailing lists. Mr. Brengelman recommended that the Board may update the current E&O contract with KVMA to include regular mailing lists.

APPLICATIONS COMMITTEE REPORT

Applications Committee Members Dr. Kennedy, Dr. Smith, and Dr. Gardner discussed with other Members of the Board multiple items.

- **Application from the McCracken County Animal Control.**
KBVE Investigator Dr. St. Clair indicated that the reinstatement inspection revealed they do not intend to house animals at the site. This means they do not fit the definition of a

“certified animal control agency”. He further indicated that they stated their intent is to carry euthanasia solution in their vehicle for off-site euthanasia.

Members of the Board expressed concerns with animal control officers moving euthanasia solution around without controls, as well as a lack of a locked and secure storage location already in existence at the facility location.

Further, [KRS 321.181\(15\)](#) defines "Certified animal control agency" as “a county or municipal animal shelter or animal control agency; private humane society; state, county, or municipal law enforcement agency; or any combination of those entities that *temporarily houses stray, unwanted, or injured animals* and that is certified under the provisions of KRS 321.207” (emphasis added). KBVE is not authorized by statute to approve an application for a DEA Controlled Substance Registration to an animal shelter facility that does not temporarily houses stray, unwanted, or injured animals.

- **False VTNE results.**

Dr. Kennedy discussed a report from AAVSB about a veterinary assistant who supplied a falsified VNTE score report to a potential employer in Indiana. This individual has previously tested for the VTNE, designating Kentucky as the state to receive the score report, but a passing score was not achieved; the person never applied for a Kentucky veterinary technician license. Members of the Board directed that the AAVSB report be included in KBVE’s database to alert the board to future application attempts that may occur in Kentucky. If an application is filed with the board in the future, the board can make an informed determination.

- **Special Permit Request.**

Members of the Committee discussed their approval of a Special Permit prior to NAVLE registration period at the request of an ECFVG candidate’s supervisors. The candidate became eligible to take the NAVLE after the April registration window, and will register for the November/December window as soon as the application window opens in June.

WELLNESS COMMITTEE REPORT

Mr. Dorman provided the Wellness Committee Report.

UNFINISHED BUSINESS AND UPDATES

- **AAVSB Updates**

- 2023 Annual Meeting & Conference – Sep 28-30, 2023 in Kansas City, Missouri
 - Dr. Dianne Dawes is interested in attending
- Call for Nominations
 - Dr. Staton would like to run for the Nominating Committee

- Other AAVSB Reports

Keeping in line with the limitations of non-disclosures signed by AAVSB Volunteers, a brief update was shared about member participation.

- Dr. Dawes – AAVSB Regulatory Policy Task Force – to attend the April in-person meeting

- Ms. Amanda Briggs – AAVSB Program and Services Think Tank

- **AVMA Updates**

Ms. Debra Hamelback provided an update on AVMA to Members of the Board.

- Scheduling of Xylazine
 - Likely to be scheduled soon
 - Receiving media attention
- Updates related to mid-level practitioners
 - Legislative efforts in some states to dramatically expand capacity of veterinary technicians, including minor surgery and diagnosis
- Telemedicine
 - Some jurisdictions have legislation pending that would allow telemedicine via audio only
- FDA Guidance # 256, and #263
- FTC Proposal to ban non-compete clauses
- Nationally, initiatives in multiple states to dismantle or reorganize licensing boards
 - In Kentucky, the Board of Pharmacy was targeted during the 2023 legislative session
- OTC Antibiotics informational flyer for producers

- **Veterinary Shortage Working Group**

Dr. Gardner provided an update from the first meeting of the Veterinary Shortage Working Group, held on February 28, and hosted by KDA Commissioner Ryan Quarles. This stakeholder group pulls together veterinarians and participants from commodity groups, colleges of veterinary medicine (CVMs), governmental agencies, and other organizations to discuss possible action items for Kentucky in response to the veterinary workforce shortage. Ms. Shane and Ms. Hamelback are working with KDA Chief of Staff Keith Rogers to facilitate this group.

CVMs are looking to consider primary variables other than GPA to ensure access to education for students interested in rural, food animal, or equine work. Auburn CVM Dean Calvin Johnson specifically mentioned that they are initiating admissions changes in an effort to ensure that current selection criteria are not applying negative pressure to students who may be interested in rural or food animal practice.

KVMA and Auburn are collaborating to resume Glen Sellers' work with rural practices. The component of the program assisting individual practices with a financial review will not be included; however, businesses may have the option to pay to add in this portion of the program.

EDUCATION AND OUTREACH COMMITTEE

No updates to report.

INVESTIGATOR REPORTS

KBVE Investigators Dr. Dena Fitzpatrick and Dr. Coy St. Clair discussed Periodic Shelter Inspections.

- Jessamine County Animal Care and Control (certificate no. 147171)
- Lexington Humane Society (certificate no. 149250)
- Logan County Humane Society (certificate no. 149522)
- McCracken County Animal Control (certificate no. pending)

COMPLAINTS SCREENING COMMITTEE REPORT

Dr. Eckert provided the Complaints Screening Committee Report.

- **ORDERED APPEARANCE (COMMITTEE ONLY)**
 - None
- **Dismissed, no violations of the Practice Act identified**
 - 2021-55(c)
 - 2022-31 (new)
 - 2022-32 (new)
 - 2022-33 (new)
 - 2022-36
 - 2022-54 (new)
 - 2022-56
 - 2022-57 (new)
- **Assigned to Investigator**
 - 2022-55 (new)
 - 2022-56 (new)
- **Assigned to Legal Counsel for Settlement Negotiations**
 - 2022-10
 - 2022-21
 - 2022-41
 - 2022-45
 - 2022-46 (A&B)
 - 2021-47
 - 2021-54
 - 2021-55(b)
- **Settlement Agreements Reached – cases moved to monitoring**
 - 2022-05
 - 2022-14
 - 2022-20
 - 2022-29
- **Assigned to Legal Counsel for Administrative Hearing**
 - n/a
- **Closed following KBVE action and fulfillment of terms**
 - n/a
- **Cases with Legal Counsel in Franklin Circuit Court**
 - 2020-34

- 2021-55
- **New**
 - 2022-53
 - 2022-58
 - 2022-59
 - 2023-01

A MOTION was made by Dr. Gardener to approve the recommendations of the Complaints Screening Committee. The motion, seconded by Dr. Kennedy, was approved unanimously.

GOVERNMENT AFFAIRS COMMITTEE

- **Practice Act Update – HB 167**
 - Vice Chairman Dr. Smith offered congratulations to everyone on the passage of 23 RS HB 167 through the General Assembly. In particular,
 - State Representative Matthew Koch for sponsoring the bill
 - State Senate Jason Howell for carrying the bill in the Senate
 - State Senator Robin Webb for her contributions
 - Members of the Board for taking this initiative and working tirelessly the last two years
 - KVMA Leadership and Debra Hamelback for their hard work, coordination support, and stakeholder outreach
 - Many other contributors
 - Ms. Hamelback also spoke, stating this is something that the veterinary community as a whole and everyone involved should be proud of.
 - Ms. Shane provided a general update and next steps:
 - HB 167 passed both the Kentucky House and Senate
 - The bill was sent to Governor Andy Beshear on March 16, and is pending his signature
 - Members of the Board discussed:
 - Timeline for regulation updates and development of two new programs (veterinary facility registration, and allied animal health professional permits)
 - KBVE need for additional staff; to be discussed in-depth at next meeting

The board took a respite break from 2:41 - 2:55 pm.

- Members of the Board discussed areas of focus for regulation work, and chose to concentrate initial efforts in the following topical areas:
 - Standards for Medical Records
 - Standards for Veterinary Surgery
 - Scope of practice and supervisory levels for LVTs
 - Veterinary Facility Registrations, administrative processes (not minimum standards)

- **Administrative Regulations Update**
 - 201 KAR 16:550, 16:552, 16:560, 16:562, 16:572, 16:610 are all on track to become effective in July 2023

- **Stakeholder Requests**
 - **Kentucky Cattlemen's Association**

Dave Maples, Executive Vice President of Kentucky Cattlemen's Association, requested that Members of the Board consider the possibility of adding reproductive physiologists to the new "Allied Animal Health Professional" permit class. Many of the Kentucky resident, non-veterinarians who fall under the exemption [KRS 321.200\(1\)\(h\)](#) are nearing retirement, and there is concern among producers about access to this service.

Members of the Board discussed this issue. Considerations included producer desire to access reproductive services, individuals from outside of the Commonwealth crossing state lines to do unlicensed work, and the possibility that opening this field to non-veterinarians may act as a deterrent to new veterinarians entering large animal medicine, further exacerbating producer access to care.

Members of the Board agreed that KBVE should meet with the Kentucky Cattlemen's Association later this year to discuss this together.

- **Drug testing requirement for anyone who handles controlled substances**

Dr. Chaya Hirsch submitted a request to the board to consider enacting a law to require drug testing for anyone handling controlled drugs in a veterinary clinic. Members of the Board discussed this request. Considerations included the KBVE's scope of authority, which extend only to licensees of the board, and the inability for the KBVE to mandate employment requirements for other staff in a veterinary facility. Ultimately, the Board declined to attempt to mandate this at the state level, citing this as a business decision.

OPEN DISCUSSION / NEW BUSINESS

- **Questions pending from the Board's Office**
 - A law office contacted KBVE with a series of questions about licensure requirements for consultants, use of telemedicine by foreign licensees who do not hold a license in Kentucky but are providing information about critical care, and veterinary facility ownership requirements in Kentucky. Members of the Board discussed these topics.

- **Other Items for Discussion**
 - No other items were raised for discussion.

○ Obituary Notifications

Although no licensee deaths were reported to KBVE this period, there were two suicides in other states.

Nationally, the American Association of Veterinary Medical Colleges (AAVMC) has indicated that some CVMs are telling students that the gold standard in patient care must be provided at all times, or else professional licensing boards are going to seek revocation of an individual's license. This misconception may be a contributing factor to the stresses experienced by young veterinarians. Schools should be teaching about **spectrum of care options** (which is the more accurate standard used by licensing boards).

KBVE licensees should be reminded that anyone with wellness issues may contact the Kentucky Professionals Recovery Network (KYPRN) to seek help and guidance. This information is located on the KBVE website.

KVMA is looking to enact an employee assistance program (EAP) to assist with wellness issues for all veterinary facility staff.

FUTURE MEETING DATES

- **The next regularly scheduled board meeting shall be held on:**

Thursday, May 25, 2023 @ 1:00 PM EDT
Office of the State Veterinarian, 109 Corporate Drive

Given the determined timeline for regulatory activities, Members of the Board added a Special Meeting date to the 2023 calendar.

- **The next special board meeting shall be held on:**

Thursday, May 11, 2023 @ 9:00 AM EDT
Location TBD

ADJOURNMENT

Vice Chairman Dr. Smith adjourned the meeting at 3:31 pm.

These Meeting Minutes were approved by the Board on May 25, 2023.



Steven J. Wills, DVM, Chairman of the Board

PRESIDING OFFICER: Gene Smith, DVM, Board Vice Chairman
Minutes Recorded by: Michelle M. Shane, Executive Director



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Meeting Agenda

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Public Zoom Meeting Option

Join Zoom Meeting

<https://us02web.zoom.us/j/83994658656?pwd=UmZiZndSZktmM0tnV2pvRzhaQVEzdz09>

Meeting ID: 839 9465 8656

Passcode: 227723

One tap mobile

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Dial by your location (any number will work); then enter Meeting ID: 839 9465 8656

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+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

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COMMITTEE MEETINGS – CLOSED TO THE PUBLIC

9:00 AM • Complaints Screening Committee

11:00 AM • Applications Committee

1:00 PM BOARD MEETING – PUBLIC MEETING

CALL TO ORDER

ROLL CALL / ESTABLISHMENT OF QUORUM



CONFIRMATION OF PUBLIC NOTICE

READING OF MISSION STATEMENT

CONSENT AGENDA

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 - Annual renewal of specific IT services
 - Buffalo Trace Exhibiting
 - Quote for digitization of Veterinarian, LVT, AES, and ACA initial and reinstatement applications
 - Quotes for Board Retreat

UNFINISHED BUSINESS AND UPDATES

- AAVSB Updates
- AVMA Updates

APPLICATIONS COMMITTEE REPORTS

WELLNESS COMMITTEE REPORT

EDUCATION AND OUTREACH COMMITTEE

INVESTIGATOR REPORTS

COMPLAINTS SCREENING COMMITTEE REPORT

GOVERNMENT AFFAIRS COMMITTEE

- Practice Act Update – HB 167
- Administrative Regulations Update
- Stakeholder Requests

OPEN DISCUSSION / NEW BUSINESS

- Questions pending from the Board's Office
- Other Items for Discussion

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ADJOURNMENT